

5584

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Josephine Amatucci

v.

Wright Rondeau, Estes, Wolfeboro NH , town of et al NUMBERS 449-1049-1490-00156
now 01081-LM

PLAINTIFF WILL NOT ALLOW
THE COURT TO CONVERT HER CASE
TO A CIVIL CASE

1. The Court cannot/ will not, convert her new cause of action filed against
the above defendants, to be converted into a Civil case, as I did not give
my permission to the Court to turn my federal constitutional claims into civil
/ common law. Where the under civil common law would be able to give the
defendants immunity. The Plaintiff's case against the defendants is based on
Federal Constitutional civil rights, where there is NO IMMUNITY. And where
without a doubt the Plaintiff UNDER THE LAW OF THE LAND, not common law,
has a right to damages for the violation of the Fourth Amendment, due Process and
Liberty rights. This is the only procedure the court has to follow, that is the
LAW OF THE LAND, when there is a Federal Constitutional right.
2. Therefore, the new cause of action before the Court under the new number
given by the Court under 01081 -LM is is VOID OF NO LEGAL FORCE. The

Plaintiff is not accepting the case as the Court has rendered it. In fact this case has already been litigated for years, and the only procedure for this Court to follow regarding the Plaintiff's claims against the defendants, is the:

"Procedure mandated by the LAW OF THE LAND, under the Federal Constitution."

That is for damages as allowed under 1983, Where no Court, no Legislature can produce any law which defY'S the LAW OF THE LAND, in violation of the Constitution.

3. It is years since the Plaintiff first filed this case under a violation of the federal CONSTITUTION. Where she proved there is NO DISPUTE that the Warrant issued for Sheriff Wright was granted under FRAUD, where there is NO DISPUTE that the Complaint filed in the Court by the Belnap sheriff's Dept. for her prosecution was based on FRAUDULENT MISREPRESENTATION to the true facts in the case, as they all knew, all the defendants knew, including the Judge, knew that there was

.....NO BODILY INJURY.....

which was what the Plaintiff was being PROSECUTED for, and which the judge CONVICTED her for. As she could not be convicted for a crime she never committed, for a crime that never existed, as the Warrant was based on FRAUDULENT MISREPRESENTATION OF THE TRUE FACTS, as the Complaint was based on FRAUD, and a CONVICTION, was based on a crime that never existed. Which actions were nothing less than:

EGREGIOUS TORTIOUS CONDUCT MANIFESTING IN FRAUD,
IN EVIL MOTIVE, WILLFUL AND WANTON

That none of the defendants will be allowed IMMUNITY, when they violated the Federal Constitution, which is what this case is based entirely on violations of her civil rights, where there is NO IMMUNITY, for any of the defendants.

4. The original docket number for this case will stand in this case. There is going to be no new cause of action. It is unbelievable that one single lawsuit with the same defendants and the same cause of action were given 5 different docket numbers by the court. Making tremendous confusion in the case.

5. The only step left in this case is that the Court under THE LAW OF THE LAND procedure, will allow the Plaintiff's recently filed Motion, "JUDGMENT AS A MATTER OF LAW".... filed on January 8, 2022 under Docket 00156..... against these defendants, where the Court is mandated to allow the Plaintiff damages for the violation of her civil rights under the procedure to be followed under the LAW OF THE LAND, which prevails.

6. That the Court is MANDATED under the LAW OF THE LAND to rule on the violation of her civil rights, to rule on the UNLAWFUL WARRANT, THE UNLAWFUL PROSECUTION, in a violation of Due Process, in an unlawful seizure, and an unlawful CONVICTION by Greenhalgh under case 21-cv-238, which is void of no legal force as Greenhalgh had ABSOLUTELY NO JURISDICTION TO RULE ON a case where he knew there was no crime committed, no victim of a crime, and therefore all of his judgments were without Jurisdiction are are VOID OF NO LEGAL FORCE. Which means there was no CONVICTION, that she was automatically not guilty of any crime, when there was no jurisdiction for the judge to litigate the case. Which opens a claim under the Fourth Amendment. Where the Complaint and Conviction were automatically dismissed.

7. This case goes back to 2019, and there is where there is NO CONTRADICTION evidence available, the Court is MANDATED to allow the Plaintiff her MOTION FOR JUDGMENT AS A MATTER OF LAW, that she filed, for damages, for the violation of her

Civil Rights, which is allowed under 1983. Which PREVAILS under the LAW OF THE LAND.

8. There was no BODILY INJURY, yet the defendants unlawfully obtained a WARRANT under FRAUDULENT MISREPRESENTATION, accusing the Plaintiff of causing an Assault with Bodily Injury, when they had before them a written statement from the alleged victim himself, Robert Maloney, stating that he had NO INJURY.

9. That therefore this was an unlawful DETENTION of the Plaintiff an unlawful seizure, under the Fourth Amendment, under Due Process, and a violation of her liberty rights, when she was unlawfully detained through an unlawful prosecution.

10. That Greenhalgh HAD NO JURISDICTION to litigate the case and judge the case, as he knew there was no Bodily Injury, for what she was being prosecuted for, and therefore his judgments and conviction are VOID OF NO LEGAL FORCE. That her prosecution and conviction were automatically dismissed under the law. When her Motion to Dismiss which proved there was NO INJURY, NO VICTIM, NO CASE, which removed any jurisdiction from the judge, and therefore he lacked TOTAL JURISDICTION to hear the case. When there was No case.

11. A Motion to Dismiss must be heard as soon as possible by the judge where there is evidence beyond any doubt that there was NO CASE.

12. That therefore Greenhalgh's Conviction in this case is VOID OF NO LEGAL FORCE. Which allows this case to be ruled on under 1983 for damages.

13. Since Liberty cannot be deprived of except by the LAW OF THE LAND or Due Process of Law, NO STATUTE OR ORDINANCE OR OPINION can CONSTITUTIONALLY BE ENACTED, which allows an unlawful WARRANT or unlawful prosecution, to violate Due Process, which is a limitation upon the courts and a Legislature statute, where under Due Process one cannot be deprived of their Liberty. See the People v.

Swift 59 Mich. 529, 26 N.W. 694, 698 (1886).

WHEREFORE: The Plaintiff's claims have clearly more than sufficient statements and meets the requirement in identifying the unlawful actions of the Defendants and how those actions are wrongful. And identifies why she is entitled to relief. That therefore this Court has ONE DUTY in this case, as there is no contradictory evidence, of the unlawful warrant, the unlawful prosecution, and the unlawful Conviction, where Greenhalgn acted in his own personal capacity when he lost all jurisdiction as the Plaintiff clearly cited in the case under Docket 00238. Wherefore, the court is MANDATED under the LAW OF THE LAND allow the the Plaintiff her..... MOTION FOR JUDGMENT AS A MATTER OF LAW.... and IMMEDIATELY allow for a jury trial for damages for the Constitutional violations by the defendants, in violation of the Fourth Amendment, Due Process, and a violation of her LIBERTY RIGHTS, and where THERE IS NO IMMUNITY WHATSOEVER for any of the defendants for their violations of the FEDERAL CONSTITUTIONAL LAW, against the Plaintiff.

Respectfully,

Josephine Amatucci

January 10, 2022

c. Town of Wolfeboro, Belnap sheriff's Dept.

A handwritten signature in black ink that reads "Josephine Amatucci". The signature is written in a cursive, flowing style with a long, sweeping underline that extends to the left.

From: JOSEPHINE AMATO
P.O. Box 272
WOLFEBORO FALLS, N.H. 03896



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